

UNITED STATES DISTRICT COURT

for the

Central District of California

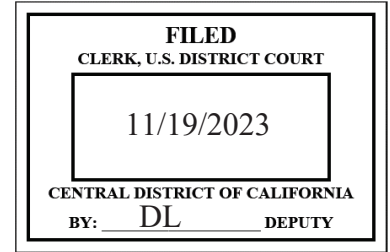
United States of America

v.

ALAN DAVOOD,

Defendant

Case No. 2:23-mj-05988-DUTY



**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of January 26, 2023, in the county of Los Angeles in the Central District of California, the defendant violated:

Code Section

21 U.S.C. § 841(a)(1), (b)(1)(A)(viii)

Offense Description

Possession with Intent to Distribute a Controlled Substance

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/

Complainant's signature

Whitney Faber, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: November 19, 2023 at 9:32 a.m.

Rozella A. Oliver

Judge's signature

City and state: Los Angeles, California

Hon. Rozella A. Oliver, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Whitney Faber, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of an application for a criminal complaint against and arrest warrant for ALAN DAVOOD ("DAVOOD") for a violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii) (Possession with Intent to Distribute Methamphetamine).

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses.

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant, and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only, all amounts or sums are approximate, and all dates and times are on or about those indicated.

II. BACKGROUND OF SPECIAL AGENT WHITNEY FABER

3. I am a Special Agent ("SA") with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations ("HSI"), and have been so employed since September 2018. I am currently assigned to the HSI Los Angeles Border Enforcement Task Force Maritime

("LA BEST Maritime"). My responsibilities include investigating violations of federal and state criminal laws, including crimes involving maritime smuggling, drug trafficking, money laundering, fraud, and immigration violations in the Central District of California. I am a graduate of the Federal Law Enforcement Training Center in Glynco, Georgia, where I completed the Basic Criminal Investigator Training Program and the HSI Special Agent Training Program. I received formal training in the investigation of violations investigated by HSI, including drug crimes and contraband smuggling. I was previously employed with the United States Border Patrol as a Border Patrol Agent from March 2003 until September 2018.

4. During my career as an HSI Special Agent, I have received additional training regarding investigating drug trafficking and have had the opportunity to observe and review evidence related to drug trafficking in all forms of media including computer media. Additionally, I have conducted and participated in the execution of many search warrants for evidence of drug trafficking offenses. Coordinating and assisting with these search warrants has given me an understanding of how people involved with offenses relating to drug trafficking use the Internet and other digital platforms to further those offenses. Finally, I have spoken to other experienced law enforcement officers concerning the results of their own investigations into drug trafficking and it is commonly known that these individuals exploit many forms of communication technology to facilitate their illegal activities.

III. SUMMARY OF PROBABLE CAUSE

4. As discussed below, DAVOOD is a key member of an international drug trafficking operation that exports large quantities of methamphetamine to Australia and possibly other destinations.

5. On February 9, 2023, Customs and Border Protection ("CBP") officers near the Port of Los Angeles inspected a maritime shipment destined for Australia. CBP discovered numerous packages containing over 50 kilograms of methamphetamine concealed within the shipment. HSI opened an investigation, which has since revealed that DAVOOD purchased, stored, and transported this shipment, and attempted to export it to Australia, knowing that it concealed narcotics. Significant evidence links DAVOOD to the drug shipment, including cellular location data, surveillance footage, phone messages, and items seized from DAVOOD's residence.

6. HSI's investigation has also revealed that DAVOOD facilitated and attempted to export at least two additional shipments to Australia, each containing over 50 kilograms of methamphetamine.

7. Pursuant to a search warrant, agents searched DAVOOD's residence in Houston, Texas in July 2023 and informed DAVOOD that he is the target of a federal investigation. DAVOOD has since vacated his residence in Houston and booked a one-way flight to Toronto, Canada, scheduled to leave Monday, November 20, 2023—just one month after agents seized over 50 kilograms of

methamphetamine from a shipment that DAVOOD facilitated, as discussed below.

IV. STATEMENT OF PROBABLE CAUSE

8. Based on my review of law enforcement reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

A. Law Enforcement Seized Over 56 Kilograms of Methamphetamine in February 2023

9. On February 9, 2023, CBP inspected a shipment described as four Sunmax-brand model RT50AC floor scrubbing machines (the "SUNMAX SHIPMENT") destined for export to Australia. CBP Officers discovered 35 packages containing approximately 56.57 kilograms of methamphetamine concealed within the SUNMAX SHIPMENT, as pictured below:



10. Based on my review of records as set forth below, DAVOOD purchased the SUNMAX SHIPMENT from Sunmax International in Wilmington, California on December 15, 2022. He also rented a storage unit from Public Storage in La Puente, California, to store the SUNMAX SHIPMENT, and then scheduled a trucking company, Elite Moving and Storage ("Elite"), to transport the

SUNMAX SHIPMENT to a warehouse for export to Australia, all while taking steps to knowingly conceal his identity and activities.

11. According to a bill from American Worldwide Agencies ("AWA"), the forwarding agent that facilitated the shipment, Elite delivered the SUNMAX SHIPMENT to an AWA warehouse for export to Australia on January 26, 2023.

12. According to a bill from Elite, a customer identified as "Sam Yokhana" hired Elite the day before, to transport the SUNMAX SHIPMENT to the AWA warehouse from a Public Storage self-storage facility in La Puente, California. The bill reflected that "Sam Yokhana" listed the phone number 832-343-7793. I believe that this phone is a "burner" phone based on my training and experience, and given that the number is subscribed to an address associated with a Cricket Wireless, which is common for phones used by narcotics traffickers to provide a layer of anonymity.

13. During a search of DAVOOD's residence pursuant to a search warrant,¹ agents found the same phone number, written on packaging for a cellphone, along with a sales receipt from Cricket wireless identifying the same phone number. Agents also found numerous other "burner" phones at DAVOOD's residence. Only DAVOOD was present at his residence when federal agents executed the search warrant. Furthermore, according to the

¹ The search of DAVOOD's residence was executed pursuant to a search warrant issued by the Honorable Christina A. Bryan, United States Magistrate Judge in the Southern District of Texas (4:23-MJ-01431).

leasing agency (WaterWall Place Luxury Apartments in Houston, Texas), the only other tenant of DAVOOD's apartment is Tamara Davood (DAVOOD's wife). According to DAVOOD, Tamara Davood was in Toronto, Canada for an extended period of time due to an illness in the family.

14. According to a payment receipt from the Public Storage in La Puente, DAVOOD rented a storage unit beginning on December 24, 2022.² According to site activity logs and surveillance footage from Public Storage, DAVOOD was physically present at the facility on January 26, 2023,³ when a truck driver from Elite arrived to retrieve the SUNMAX SHIPMENT for delivery to the AWA warehouse. Based on my review of the surveillance footage, DAVOOD directed the Elite driver's entry into and exit from the facility.

15. According to records from AT&T, phone number 832-672-2260 was subscribed to DAVOOD. In response to a federal search warrant issued by the Honorable Maria A. Audero in the Central District of California on May 5, 2023 (2:23-MJ-02249), AT&T provided historical cell site data from this phone, which registered locations near Sunmax International in Wilmington, California, on December 15, 2022. According to an invoice from Sunmax International, the floor scrubbing machines comprising

² On March 7, 2023, a Public Storage employee positively identified DAVOOD from a six-pack lineup as the person who rented the storage unit.

³ I identified DAVOOD in the surveillance footage from Public Storage based on a comparison to DAVOOD's Canadian passport photo and photos taken by CBP during his international border entries into the United States.

the SUNMAX SHIPMENT were purchased on December 15, 2022, by "Sam Yokana." The phone also registered locations near the Public Storage facility on January 26, 2023 (the date that Elite transported the SUNMAX SHIPMENT from the Public Storage to the AWA warehouse).

B. HSI Identifies Additional Methamphetamine Shipments Linked to DAVOOD

16. HSI's investigation has revealed that DAVOOD facilitated at least two additional shipments containing narcotics, as explained below.

1. The COCO REPUBLIC SHIPMENT

17. On April 18, 2023, CBP inspected a shipment of two Coco Republic brand Monaco coffee tables destined for export to Australia (the "COCO REPUBLIC SHIPMENT"). CBP Officers discovered 30 packages containing approximately 53.52 kilograms of methamphetamine concealed within this shipment.

18. Based on my review of records as set forth below, DAVOOD purchased the COCO REPUBLIC SHIPMENT from Coco Republic in Los Angeles, California. He also hired Orange County Crating in Orange, California, to crate the shipment, and then scheduled a trucking company, Orange Courier, to transport it from Orange County Crating to a warehouse for export to Australia, all while taking steps to knowingly conceal his identity and activity.

19. According to a bill from Econocaribe Consolidators, Inc. ("ECU"), the freight forwarder for the COCO REPUBLIC SHIPMENT, on April 3, 2023, Orange Courier delivered the

shipment from Orange County Crating to an ECU warehouse, on behalf of a customer named "Sam."

20. During the search of DAVOOD's residence, agents found a bill from Orange Courier, dated April 3, 2023. Agents also found a sales order from Orange County Crating, dated April 3, 2023, identifying the customer as "Sam Martinez."

21. Orange County Crating provided me video surveillance footage dated April 3, 2023, showing the customer responsible for the COCO REPUBLIC SHIPMENT who identified himself as "Sam Martinez." Upon reviewing the footage, I immediately recognized DAVOOD as the person who identified himself as Sam Martinez.

22. According to data from AT&T, a phone subscribed to DAVOOD (832-672-2260) registered locations near Orange County Crating on April 3, 2023. It also registered locations near Coco Republic in Los Angeles, California on February 6, 2023. According to a sales order from Coco Republic, the coffee tables comprising the COCO REPUBLIC SHIPMENT were purchased on February 6, 2023, by a "Sam Martins."

23. According to phone tolls from AT&T, the same phone number (832-783-0621) contacted Coco Republic, Orange County Crating, and Orange Courier between January and April 2023, which I believe to be a "burner" phone controlled by DAVOOD based on phone tolls and subscriber information.

2. The SPASOURCE.COM SHIPMENT

24. On July 27, 2023, the Honorable Pedro V. Castillo, United States Magistrate Judge, issued a warrant authorizing the search of six digital devices that were seized from DAVOOD's

residence in Houston, Texas. (See Case No. 2:23-MJ-03777.) Among other devices, this warrant authorized the search of a Samsung Galaxy S21, a Samsung Galax A03S, and a silver Apple iPhone (collectively, the "SUBJECT DEVICES").

25. Pursuant to the warrant, I searched the SUBJECT DEVICES⁴ and discovered the application Threema, which I know to be a paid, encrypted, decentralized instant messaging application that offers end-to-end encryption. I know based on my training, experience, and knowledge of this investigation that DAVOOD and his co-conspirators use Threema and other encrypted applications to communicate while conducting activity in furtherance of narcotics trafficking.

26. On the Threema application, I found a conversation between DAVOOD and a Threema user with username "~athena." In this conversation, I saw the following:

a. On May 16, 2023, ~athena sent DAVOOD a video of a cardboard box marked "SPASOURCE.COM" (depicted in the photo below) and a second video titled "Box 2" with a similar box marked "SPASOURCE.COM."

b. DAVOOD then instructed ~athena to wrap the boxes in a manner so it does not appear as though they are hiding the labels. ~athena responded to DAVOOD saying that that she is doing what he did last time. DAVOOD and ~athena exchanged additional instructions for wrapping and more videos of the cardboard boxes labeled "SPASOURCE.COM."

⁴ Based on my review of the messages, emails, and applications on the SUBJECT DEVICES, I know DAVOOD to be the user of each device.

c. Again, on May 16, 2023, ~athena sent DAVOOD a picture of four nearly identical boxes in the back of a box truck with the message, "Ready for delivery."

d. The following day, DAVOOD sent ~athena messages identifying a series of packing and shipping companies in the Orange County, California area, including Craters & Freighters. Later that day, ~athena informed DAVOOD, "They are getting them off the truck right now."

e. On May 19, 2023, ~athena sent DAVOOD a screen capture of an email from Craters & Freighters to "Bianca" requesting a bill of lading and providing the dimensions and weights of two pallets.

27. On the Threema application, I also found a conversation between DAVOOD and two other Threema users on May 19, 2023, in which they discussed the weights of the shipment and how to avoid creating suspicion.

28. On October 19, 2023, I spoke with employees at Craters & Freighters. The employees informed me that they were still storing four boxes with invoice number SNA-649045 marked "SPASOURCE.COM" on two pallets for a customer named "Bianca" (the "SPASOURCE.COM SHIPMENT").

29. On October 20, 2023, the Honorable Joel Richlin, United States Magistrate Judge, issued a warrant authorizing a search of the SPASOURCE.COM SHIPMENT. (See case no. 2:23-MJ-05431.)

30. A search of the SPASOURCE.COM SHIPMENT revealed 56 packages containing approximately 55.70 kilograms of methamphetamine concealed within spa chairs.

C. Messages on DAVOOD's Devices Demonstrate that He Knew Narcotics Were Concealed within the Shipments and Intended to Prepare Additional Narcotics Shipments

31. During my search of the SUBJECT DEVICES, pursuant to the warrant, I discovered the following conversations on Threema:

a. In May 2023, DAVOOD and two conspirators discussed, in coded language, preparing future narcotics shipments. Specifically, they discussed hollowing out the inside of an excavator and filling it with "wins," which I understand based on my knowledge of this investigation to be code for methamphetamine. They also discussed, in coded language, purchasing and packing the methamphetamine in Los Angeles but shipping from Houston.

b. In June 2023, in the same conversation, DAVOOD offered to get the methamphetamine in Houston so to not take the risk of transportation. One conspirator warned DAVOOD that the quality would likely be poor and the price too high, and advised DAVOOD to not "go around asking [people] for no reason."

c. In June 2023, DAVOOD and the two conspirators also discussed purchasing a "post digger" that "may be able to take all 50 at once." I understand "50" to reference a quantity of narcotics, based on my knowledge of this investigation and the average kilogram quantities seized from each shipment.

D. DAVOOD's Travel Patterns Further Link Him to the Drug Shipments

32. Based on my knowledge of this investigation, DAVOOD does not reside in California.

33. Based on cellular location data from AT&T, DAVOOD travelled from his residence in Houston, Texas, to Los Angeles, California, to facilitate shipments of narcotics.

34. Based on law enforcement databases, DAVOOD is not a United States citizen but resides in the United States lawfully under an E2 investor visa. DAVOOD is an Iraqi national and Canadian citizen. He has crossed the border into Canada six times in 2023, and nine times in 2022.

35. While executing a search warrant of DAVOOD's residence in July, I informed DAVOOD that he is under investigation.

36. After execution of the search warrant, I learned that DAVOOD vacated his apartment in Houston and, to my knowledge, has not obtained a new permanent residence.

37. According to law enforcement databases, DAVOOD booked a one-way flight to Toronto, Canada, scheduled to leave Monday, November 20, 2023.

V. CONCLUSION

38. For all the reasons described above, there is probable cause to believe that DAVOOD has committed a violation of Title 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) (Possession with Intent

to Distribute Methamphetamine) by attempting to export the
SUNMAX SHIPMENT.

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 19th day of
November, 2023

Rozella A. Oliver

HONORABLE ROZELLA A. OLIVER
UNITED STATES MAGISTRATE JUDGE